

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

DANIEL H. JONES ]  
Plaintiff, ]  
] ]  
v. ] No. 3:15-0030  
] Judge Campbell  
MARK GWYN, et al.<sup>1</sup> ]  
Defendants. ]

M E M O R A N D U M

The plaintiff, proceeding *pro se*, is an inmate at the Turney Center Industrial Prison in Only, Tennessee. He brings this action pursuant to 42 U.S.C. § 1983 against Mark Gwyn, Director of the Tennessee Bureau of Investigation (TBI), and Avis Stone, the Law Enforcement Information Coordinator for the TBI, seeking declaratory, injunctive and monetary relief.

On March 26, 2010, the plaintiff submitted a formal request to the TBI to have his name removed from the Tennessee Sex Offender Registry. Defendant Stone allegedly denied this request. The plaintiff believes that the refusal to remove his name from the Tennessee Sex Offender Registry constitutes a violation of his rights.

---

<sup>1</sup> Gwyn has been misspelled in the style of the complaint as "Gwen".

The complaint arrived in the Clerk's Office on January 14, 2015. The plaintiff's claims arose when his request was denied in 2010. Thus, it appears that this action is time-barred by the one year statute of limitations imposed upon civil rights claims brought in Tennessee. Merriweather v. City of Memphis, 107 F.3d 396, 398 (6th Cir.1997).

Nothing in the complaint suggests that the statute should be tolled so as to permit the untimely filing of the complaint. The Court, therefore, concludes that the plaintiff has failed to state a claim upon which relief can be granted because this action is untimely. Dellis v. Corrections Corp. of America, 257 F.3d 508, 511 (6<sup>th</sup> Cir.2001)(*sua sponte* dismissal of an untimely prisoner complaint is appropriate). Under such circumstances, the Court is obliged to dismiss the complaint. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.

Todd Campbell  
Todd Campbell  
United States District Judge